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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

10 DANIEL VICTOR HANCOCK, an
11 individual,

) CASE NO. : 2:24-cv-00369

12 Plaintiff,
13 vs.

14 JIMMY LOVRIEN, an individual,
15 DULUTH NEWS TRIBUNE, LLC, a
16 Minnesota Limited Liability Company, and
17 ROE CORPORATIONS I through X,
inclusive.
18)
19)
20)
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**PLAINTIFF'S MOTION FOR
RECONSIDERATION ON JUNE 4, 2024
ORDER DENYING PLAINTIFF'S EX
PARTE MOTION TO ENLARGE THE
TIME FOR SERVICE OF THE
COMPLAINT AND SUMMONS**

Hearing Requested

Plaintiff DANIEL VICTOR HANCOCK respectfully requests that this Court reconsider its June 4, 2024, Order Denying Plaintiff's Petition to Extend Time for Service. Reconsideration is warranted based on new facts and circumstances that were not presented to the Court at the time of the original ruling and/or due to an error of law or fact in the original ruling.

POINTS AND AUTHORITIES

I.

FACTS

Plaintiff retained counsel on Friday, February 16, 2024. Plaintiff's counsel's office was closed February 17-19, 2024, for the normal weekend and the President's Day holiday. Plaintiff's

1 counsel began drafting the Complaint on February 20, 2024. On February 22, 2024, the Complaint
 2 and Summons was filed which was also the Statute of Limitations deadline. The initial 120 days
 3 in which to serve expired on May 22, 2024. Plaintiff filed an Amended Complaint on May 21,
 4 2024, and the Summons was not issued by the Court Clerk until May 23, 2024. Plaintiff failed to
 5 serve Defendants DULUTH NEWS TRIBUNE and JIMMY LOVRIEN within 120 days because
 6 the address provided to the process server for these Defendants was vacant. There were sheets
 7 sealing the doors and windows. Please reference the affidavit of attempt attached hereto as **Exhibit**
 8

9 **1.** The process server was forced to perform a skip trace to find a new address.
 10

11 Furthermore, the Plaintiff was made aware of additional stories published in a different
 12 newspaper attached hereto as **Exhibit 2**. Therefore, Plaintiff wished to amend the Complaint to
 13 include an additional Defendant.

14 On May 30, 2024, process servers were able to effectuate service of the Complaint and
 15 Summons upon Defendants DULUTH NEWS TRIBUNE and JIMMY LOVRIEN. Please
 16 reference affidavits of service attached hereto as **Exhibit 3**.
 17

18 At this time, the Plaintiff is hereby requesting that he be given until June 30th, 2024, to
 19 effect service upon the remaining Defendant in this matter.

20 **II.**

21 **LEGAL ARGUMENT**

22 NRCP 60(b) provides grounds for relief from a final judgment, order, or proceeding,
 23 including:

24

- 25 1. Mistake, inadvertence, surprise, or excusable neglect.
- 26 2. Newly discovered evidence that, with reasonable diligence, could not have been
 discovered in time to move for a new trial.
- 27 3. Fraud, misrepresentation, or misconduct by an opposing party.
- 28 4. The judgment is void.
5. The judgment has been satisfied, released, or discharged.
6. Any other reason that justifies relief.

1 The motion must be made within a reasonable time, and for reasons (1), (2), and (3), not
2 more than six months after the judgment, order, or proceeding was entered or taken.

3 Here, newly discovered evidence existed. *Moyle v. Y & Y Hyup Shin, Corp.* 118 Nev. 510,
4 50 P.3d 434 (2002). Furthermore, the Court filed the Order on June 4, 2024, which is not more
5 than six (6) months after the order was entered.

6 A. New Facts and Circumstances

7 Since the Court's denial of the Petition to Extend Time for Service, new facts have emerged
8 that warrant reconsideration. As mentioned above, Defendants DULUTH NEWS TRIBUNE and
9 JIMMY LOVRIEN have successfully been served with Plaintiff's Complaint and Summons.
10 When the Court entered its order denying Plaintiff's Motion, the Plaintiff was unaware of this fact.
11 *Baker v. State* 120 Nev. 1027, 102 P.3d 643 (2004). The process server performed a skip trace and
12 now has a valid address for the last remaining Defendant, JOHN RAMOS.

13 B. Due Diligence in Attempting Service

14 Plaintiff has exercised due diligence in attempting to serve Defendants. As soon as
15 Plaintiff's counsel filed the Complaint and received the issued Summons from the Court, they
16 contacted the process server requesting expedited service to effectuate service upon the
17 Defendants. Unfortunately, due to the vacant address, Defendants were unable to be served prior
18 to the deadline.

19 III.

20 CONCLUSION

21 For the reasons stated above, Plaintiff respectfully requests that the Court grant this Motion
22 for Reconsideration, vacate its previous order denying the Petition to Extend Time for Service,
23
24 ///

1 and issue a new order granting Plaintiff additional time to effectuate service on Defendant.

2

3 DATED this 11th day of June 2024.

4

5

6 **ECLIPSE LAW GROUP**

7 /s/ Rena McDonald
8 Rena McDonald, Esq.
9 Nevada Bar No. 8852
10 203 S. Water Street, Suite 300
11 Henderson, NV 89015
12 Telephone: (702) 448-4962
Facsimile: (702) 448-5011
Email: rena@eclipselawgroup.com
13 Attorney for Plaintiff

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EXHIBIT 1

AFAS ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) ECLIPSE LAW GROUP 203 S WATER ST, SUITE 300 HENDRSON, NV 89015		PHONE NUMBER 702-448-4962	FOR COURT USE ONLY
		REFERENCE NUMBER [Redacted]	
NAME OF COURT, JUDICIAL DISTRICT OR BRANCH COURT, IF ANY, AND POST OFFICE AND STREET ADDRESS UNITED STATES DISTRICT COURT			
333 Las Vegas Blvd. South Las Vegas, NV 89101			
SHORT NAME OF CASE DANIEL VICTOR HANCOCK v. JIMMY LOVRIEN, JOHN RAMOS, DULUTH NEWS TRIBUNE			
AFFIDAVIT OF ATTEMPTS	DATE/TIME	DEPT/DIV	CASE NUMBER 2:24-CV-00369

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I received the following documents:

SUMMONS, AMENDED COMPLAINT

After due search, careful inquiry and diligent attempts at the following address(es), I have been unable to effect service of said process on:

Name: JIMMY LOVRIEN

Address(es): 424 W 1ST ST
DULUTH, MN 55802

Process is being returned without service for the following reason(s):

2024-05-24 12:39:00 Bad address This address is vacant. There are sheets sealing the doors and windows

Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 24 day of May, 2024.

**NOT FINAL
AFFIDAVIT
OUT OF TOWN**

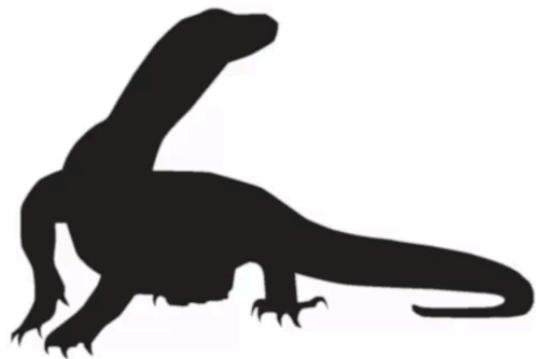
EXHIBIT 2

 April 16, 2024

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DULUTH MONITOR



SEEKING SALES PROFESSIONALS

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[AREAS OF INTEREST](#) 



[Home](#) > [2024](#) > [March](#) > [28](#) > [Mr. O Sues News Tribune For Defamation](#)

Mr. O sues News Tribune for defamation

MARCH 2024

 On March 28, 2024 / By John Ramos

S	M	T	W	T	F	S
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« Feb Apr »



FILTER NEWS BY SUBJECT MATTER:

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RECENT COMMENTS:

On Feb. 22, 2024, in United States District Court in Las Vegas, Nevada, an individual named Daniel Victor Hancock filed a lawsuit against the *Duluth News Tribune* and reporter Jimmy Lovrien, alleging nine counts of defamation which allegedly occurred in a single article Mr. Lovrien published in the *News Tribune* on Feb. 26, 2022.

Dan Hancock may be better remembered by readers of the *Monitor* as the infamous Mr. O—the anonymous “billionaire” who convinced Two Harbors Mayor Chris Swanson that building a \$400 million underwater hotel in Two Harbors was a good idea. On Feb. 20, 2022, when the *Monitor* broke the story that Mr. O was actually a conman and felon named Dan Hancock, Mayor Swanson’s reputation suffered a blow.



Ferdinand Peters on Kenwood woman facing loss of home due to slander, deceit and malfeasance April 14, 2024

The *News Tribune* article that Hancock names in his lawsuit was published six days after the *Monitor* article appeared. It parallels much of the *Monitor*'s reporting and adds new details about Dan Hancock's unsavory career.

Hancock claims that false facts in the article resulted in his "criticism, dishonor, and condemnation."

Hancock further states that the *News Tribune* article

placed Plaintiff before the public in a false light as the Defendants made several false statements that made it appear to the public that the Plaintiff is corrupt, deceptive, a criminal, unethical and a liar ... Defendants had knowledge that their statements were false and acted in reckless disregard as to the falsity of the published statements and the false light in which Plaintiff was placed.

Plaintiff has been injured and received mental distress from having been exposed to public view.

Although Hancock lists nine causes for action, they all seem to be restatements of the basic point described above—the newspaper said bad things about him, which resulted in damage to his reputation.

Hancock only identifies three passages which he says are defamatory, without specifying what is defamatory about them. Two passages contain facts which were originally reported in the *Las Vegas Review-Journal*, in 1994. As the *News Tribune* clearly identifies where they got the information, it is hard to see how a defamation charge would stick.

The third passage Hancock objects to simply because he considers it "offensive and objectionable":

I represented a client in court in Duluth against Le Grumdahl. Not sure how he keeps his Minnesota contractor license.



Kurt Kuehn on Cityview Flats continues to lease out workforce housing units as vacation rentals, without required permits

March 31, 2024

For all you folks that were expecting things to change with a new administration-



Defendant Jimmy Lovrien authored the Article wherein he states that "The anonymous man claiming to be a billionaire working with the Two Harbors mayor on plans for an underwater hotel is a felon with a history of allegations of soliciting money for far-fetched ideas. Meet Daniel Victor Hancock, a 77-year-old Las Vegas man, who prefers people call him Mr. O, the reclusive billionaire willing to mentor you to success for just \$10,000-\$50,000."

Disclosure of these private negotiations would be offensive and objectionable to a reasonable person...

Hancock's remaining claims are equally unconvincing. While it may be true that certain facts published about him did, in fact, subject him to "criticism, dishonor, and condemnation," the fault may lie with the facts, rather than the reporting newspaper.

Hancock is asking for up to \$900,000 in damages.

According to court records, Hancock has paid his \$405 filing fee, but he has not yet served the defendants with his Complaint. Service is required by May 22, 2024, for the case to proceed.

The U.S. Legal News Bureau

Rena McDonald, Hancock's attorney, is also a principal with the U.S. Legal News Bureau, a website which seems to publish only the most generic national news feeds. However, under "Our Mission," they declare that they have a much loftier goal.

U.S. Legal News Bureau maintains the highest standards in journalism and aims to—wherever possible, however possible, and within the law—stamp out yellow journalism and those who practice it.

We strive to eliminate as much as possible, the negative aspects of journalism, and to present a wholesome, positive aspect in our



Ben
Hooghkirk
on Cityvi ^

Flats
continues to
lease out
workforce
housing
units as
vacation
rentals,
without
required
permits

March 28, 2024

I'm frustrated
with the lack of
action from the
mayor
regarding the
blatant
violations of
the Airbnb
rule. It seems...



Kelly on
Kenwood
woman
facing loss of
home due to
slander,

stories and interviews ...

We will be non-wavering and relentless in going after those who practice yellow journalism, to drum them out of the business, or to cause them to change their ways. We will use every legal means at our disposal to accomplish this.

Reading further, one finds that the U.S. Legal News Bureau's strong principles also have a financial aspect.

We represent clients who have been in the past, and who are currently, damaged by false accusations ... We are directly associated with, and can refer you to, a very effective consulting firm. These consultants can assist you in many ways in solving the problem of having false accusations against you, which ruin your name and reputation. The fees for this service are very reasonable, and in most cases, actually pay for themselves resulting in collections from damages.

In addition to Rena McDonald, the principals of the company are California attorney Theodore Sieving, Texas attorney Liang Gao, and Nevada attorney Cameron Weiss. None appear to have any experience with First Amendment litigation, and their website offers no evidence of any cases they've ever handled.

deceit and
malfeasance
March 22, 2024
I live on this
street and
have wondered
what has
happened
since it
appeared
construction
has gone on
for literally...



joseph
anthony
martin on
Kenwood
woman
facing loss of
home due to
slander,
deceit and
malfeasance

March 21, 2024

I'm Holly
Brown's
neighbor and
after her new
front door was
installed, it
was impossible
to open once
closed. She...

US Legal News Bureau screenshot

Dan Hancock is not identified on the U.S. Legal News Bureau's website. However, the focus on "yellow journalism" is very reminiscent of him. In 2022, during the waning days of Mr. O's podcast, "Ask a Billionaire," Hancock would spend the podcast railing against yellow journalists who were interfering with his plans for the underwater hotel.

During the episode of the podcast which aired on March 3, 2022, Hancock offered the following:

Mr. O: Because of recent events in my life, I'm getting back into the media business very soon. It's taking some time, and a lot of money, but there's a thing out there called yellow journalism, and I've come up with a way to basically be very effective in stomping it out, and making those involved in it look like the pricks they are. And it'll be very lucrative and it'll be very good, so

I'm working on that ... When I take down these yellow journalists, I will drive them out of their job. I will get to a point where the company can't afford to hire 'em, because we will cost the company a fortune in money, and I'm putting a great deal behind it, and it's something that's needed. They can wash cars or shovel shit, but they won't be in the position that they're in right now, and I'll make a profit from doing it.



What about us?

We are curious why the *Duluth Monitor* is not named in this lawsuit. Everything Dan Hancock accuses the *Duluth News Tribune* of doing, the *Monitor* also did. In fact, we did it first. We broke the story of Mr. O's true identity six days before the *News Tribune*, exposing the would-be billionaire as a conman and felon. We won a state prize for investigative journalism for our coverage. If anyone contributed to Hancock's "criticism, dishonor, and condemnation," it was us.

Shouldn't Hancock be suing us?

Our guess is that the answer, like most things involving Mr. O, concerns money. Hancock may be trying to make a nuisance of himself, hoping that the *Duluth News Tribune* will settle the case and help him "make a profit." Because the *Monitor* has fewer assets, he is less interested in us.

He could also be demonstrating caution. Dan Hancock had enough experience with the *Monitor* in his Mr. O days that he probably doesn't relish the idea of a stream of articles about a defamation case appearing in the *Monitor*. Maybe he's backing off because he doesn't want the fight—which is understandable, from a scam-artist standpoint.

In any case, if getting a settlement from the *Duluth News Tribune* is Hancock's strategy, it will fail. His Complaint is a collection of

gripes, which provides no evidence of defamation or slander. Any competent attorney would advise him to forget it.

An email sent to DNT Publisher Neal Ronquist, Editor Rick Lubbers, and Reporter Jimmy Lovrien, seeking comment for this article, received no response as of press time.

An email and a voicemail left for Attorney Rena McDonald also received no response.



Cover image: Dan Hancock cuts a ribbon in Odessa, Texas, while serving out his parole. Source: Odessa American, March 14, 1978

DULUTH Dan Hancock / Daniel Victor Hancock / Mr. O / Rena McDonald

« Cityview Flats Continues To Lease Out Workforce Housing Units As Vacation Rentals, Without Required Permits

City Boosts Plans For Multi-Use Community Center In West Duluth »

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Comments



Boss Swanson, Part I: Poaching Lou's Fish

🕒 March 17, 2022



A response to Sgt. McShane

⌚ September 3, 2020



City employees forbidden to speak with reporters at public meetings

⌚ January 22, 2020



Unmasking Mr. O

⌚ February 20, 2022



Snow job: How Duluth was sold on Spirit Mountain

⌚ December 7, 2019



Additional floor added to London East townhomes without public process

⌚ March 12, 2023



Family of Ryan Moats, Virginia police chief seek independent review of 2021 homicide

⌚ August 2, 2022

EXHIBIT 3

AOS

**UNITED STATES DISTRICT COURT
for the
District of Nevada**

DANIEL VICTOR HANCOCK

Plaintiff

vs

**JIMMY LOVRIEN, JOHN RAMOS, DULUTH
NEWS TRIBUNE**

Defendant

CASE NO: 2:24-CV-00369

HEARING DATE/TIME:

DEPT NO:

AFFIDAVIT OF SERVICE

OUT OF TOWN being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceedings in which this affidavit is made. That affiant received 1 copy(ies) of the SUMMONS, AMENDED COMPLAINT, on the 21st day of May, 2024 and served the same on the 30th day of May, 2024, at 15:34 by:

serving the servee DULUTH NEWS TRIBUNE C/O JIMMY LOVRIEN by personally delivering and leaving a copy at (address) 222 WEST SUPERIOR STREET, DULUTH MN 55802 with as , an agent lawfully designated by statute to accept service of process;

Pursuant to NRS 53.045

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 30 day of May, 2024.

**NOT FINAL
AFFIDAVIT
OUT OF TOWN**

AOS

**UNITED STATES DISTRICT COURT
for the
District of Nevada**

DANIEL VICTOR HANCOCK

Plaintiff

vs

**JIMMY LOVRIEN, JOHN RAMOS, DULUTH
NEWS TRIBUNE**

Defendant

CASE NO: 2:24-CV-00369

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